



JON S. CORZINE
Governor

REC'D SEP 11 2009

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Optometrists
124 Halsey Street, 6th Floor, Newark, NJ 07102



ANNE MILGRAM
Attorney General

DAVID SZUCHMAN
Director

August 27, 2009

Kara Pasner, O.D.
26 Dwight Drive
Ocean, N.J. 07712

Mailing Address:
P.O. Box 45012
Newark, NJ 07101
(973) 504-6440

Re: Failure to obtain a branch office license
Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Pasner:

This is to advise you that the New Jersey State Board of Optometrists ("the Board") has had an opportunity to review an advertisement of Cohen's Fashion Optical. Specifically, the information reviewed indicated that you practice as an optometrist at the Cohen's Fashion Optical in the Monmouth Mall located in Eatontown, New Jersey.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:12.9 in that you did not obtain a branch office license for the Eatontown, New Jersey location. Based on the Board's records your primary business address is at 26 Dwight Drive, Ocean, New Jersey, therefore, it appears as if you practiced at the Eatontown location without a branch license.

At this juncture, the Board has preliminarily concluded that the above violation is sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist from practicing at any location other than the one for which an active registration is issued without obtaining in advance a branch license as required by N.J.S.A. 45:12-9;
2. Pay a penalty in the amount of \$1,000.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter.)

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of formal disciplinary action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at

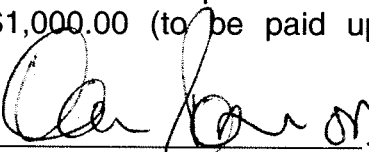
a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez, who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of formal disciplinary action.

NEW JERSEY STATE BOARD OF
OPTOMETRISTS

By: 
Lisa Affinito
Executive Director

ACKNOWLEDGMENT: I, Kara Pasner, O.D., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge that conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$1,000.00 (to be paid upon signing of this acknowledgment).


Kara Pasner, O.D.

Date:

c: Carmen Rodriguez, Deputy Attorney General